

Arizona's Immigration Test

■ Gov. Janet Napolitano says that politicians must address both the supply and demand sides of immigration.

By Lisa Caruso

Second-term Gov. Janet Napolitano of Arizona has made a name for herself as a pragmatic Democratic leader of a Republican-leaning state that shares a 376-mile border with Mexico. Her law enforcement background—she was a U.S. attorney for Arizona and the state's first female attorney general before being elected governor in 2002—has made her a national advocate for immigration reform. She discussed the issue in a recent conversation with *National Journal*. Edited excerpts follow.

■ NJ: On January 1, the toughest employer sanctions law in the country—a law you reluctantly signed—will go into effect in Arizona. Arizona em-

ployers who knowingly hire illegal immigrants will see their business license suspended for their first offense and revoked permanently for a second offense. The business community says that the law will hurt the state's economy. Can it work?

■ Napolitano: I think it can. I think there's a lot of overreaction on all sides. When I signed the bill, I had people in the business community saying, "You can't sign it," and others saying, "We're tired of competing against companies that are hiring illegally and therefore don't have to pay the same wages we pay." My view is that it's always been against the law to hire illegals, and this just adds a licensing sanction to the existing federal law. We wouldn't be doing this if the federal government

had stepped up on immigration, or even had showed the likelihood of stepping up. So the states are all moving, and Arizona is moving furthest and more quickly because we have the biggest issue.

■ NJ: Are you saying that the states should be more active in passing immigration laws to force the issue?

■ Napolitano: I think this issue abhors a vacuum and the federal government left us a big vacuum, and the states are going to move. It's like health care and energy, two other fairly complicated issues that have been stymied in Washington, and the states are doing all sorts of things.

■ NJ: On the national level, the Democratic presidential candidates seem wary when it comes to illegal immigration. What should they say?

■ Napolitano: You say, "Here's my enforcement strategy. It's multitiered: It's manpower. It's technology. It's equipment. And in my budget I'm going to put the money not only to do it but sustain it over time. Unlike my predecessors' budgets, my budgets every year will call on the Department of Homeland Security and ICE [Immigration and Customs Enforcement] and local law enforcement at the border to be properly resourced so that we have continual operational control at the border.

"I'm going to direct the secretary of Labor to tell us what our labor market needs are, and we're going to adjust the visas accordingly, and we're going to put in place a process to do that, protecting jobs for American workers but realizing that we will have a national labor shortage moving forward. I'm going to pay specific attention to certain areas such as H-1B visas [for skilled workers], where there is such a demonstrated need and there's more than enough work for everyone to go around. The third thing is, we're going to deal with the 12 million in this country. We're not going to have a permanent underclass. They're going to have to pay a fine, get in line, and pay their taxes. And I don't call that amnesty."

■ Napolitano's Message



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■ "We're going to deal with supply by enforcement. We're going to deal with demand by looking at our overall visa policy."

■ **NJ:** That's a complicated message to get across in a presidential campaign.

■ **Napolitano:** I just said that in 90 seconds. But I think you can almost reduce it to two words: supply and demand. We're going to deal with supply by enforcement. We're going to deal with demand by looking at our overall visa policy.

■ **NJ:** Politically, is this a bad issue for both parties?

■ **Napolitano:** I think the candidates on both sides need to avoid pandering, and this is too easy an issue to pander on. And that's why the federal bill failed, quite frankly. It got into the bumper-sticker world of pandering as opposed to "this is an issue that has a lot of aspects to it, and we need to deal with all of those for the good of the country." I don't know where Senator [John] McCain is right now. I think in his heart of hearts, he probably would say something very similar to what I'm saying. [With most of the] other candidates, I think they're all trying to out-right-wing each other, and I don't know that that's a wise strategy, because they tried to do that in Arizona in our state races and it didn't succeed.

■ **NJ:** Democratic strategist James Carville has advised candidates to focus on the border fence and employer sanctions. What do you think of that advice?

■ **Napolitano:** You have to talk about enforcement. You have to talk about operational control of the border. You have to talk about employer sanctions. I'm a Democrat and I've done all of those things. I was the first governor to call for the federal government to send the National Guard down to the border, which has been very helpful. I've supported the enforcement measures. I think they ought to be doing more at the border. I also think they ought to put more into the land ports, and they ought to increase the amount of legal immigration because there's a demand for it. So I think the Democrats need to talk enforcement. But then they need to talk about where we go from here—what's the future of immigration? We have to raise the number of visas. We have to look at our labor-market needs. In a global economy, the free flow of goods and

dollars and reasonable and workable immigration policies all have to go together.

■ **NJ:** You've developed a partnership with your counterpart across the border, the governor of the Mexican state of Sonora. How does that relationship fit into your immigration policy?

■ **Napolitano:** I have a very close working relationship with the governor of Sonora, and we have a large working commission [the Arizona-Mexico Commission]. It involves everything. It's trade. It's the environment. It's public health along the

■ Future Focus



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border. It's water. It's arts and culture. It's the whole gamut of issues that involve a region that has a border running through it. We share a keen concern that our respective federal governments need to deal with immigration more forthrightly. They need to put infrastructure at the border. And so we both are putting things in place at our border, paid for with our state dollars, in part filling in where there are federal gaps. He's doing more by way of checkpoints and so forth. I'm doing more by way of manpower. We have a common communication system

that tracks stolen vehicles going back and forth across the border. So it is a model of what can be done.

■ **NJ:** You won re-election last year by 2-to-1 in a state where President Bush won with 55 percent. How were you able to deal with an issue that arouses so much voter anger?

■ **Napolitano:** I think even when Arizonans have disagreed with me, I've been very up-front with what I'm doing and why, and they understand what I'm doing and why, and I think that goes a long way.

People are interested in quality education. They're interested in growth-related issues. They're troubled by the perceived lack of control at the border and how Arizona was allowed to become the funnel for illegal immigration. So they're mad about that. But they have a sense also that problems can be solved, and my job is to give them a sense that not only can they be solved but we won't ignore them.

■ **NJ:** How do you respond to the strong emotions associated with illegal immigration?

■ **Napolitano:** Break it into components. When I go into a room—I did this during my campaign for re-election—I say to the people, "How many of you are in favor of illegal immigration? Raise your hand." [She looks around to indicate that no one does.] OK, we have a consensus. Now let's work our way through this. People say, "You're walking a tightrope on immigration." I say, to the contrary, I think I have found the broad lane in the middle.

■ **NJ:** Do you think there's any chance that we'll see immigration legislation come back before Congress before the election?

■ **Napolitano:** I'm looking out this window—I think the chances of it coming back around before the presidential election is about as great as it snowing in Phoenix.

lcaruso@nationaljournal.com